



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St Louis District Office  
1222 Spruce, Room 8.100  
St. Louis, MO 63103  
(314)798-1960  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 10/05/2023

**To:** Franklin Bryant  
2101 N 12th St  
Kansas City, KS 66104

**Re:** Franklin Bryant v. JK Concrete Construction  
EEOC Charge Number: 28E-2022-00649

EEOC Representative and email: Joseph J. Wilson  
State, Local & Tribal Program Manager  
[Joseph.Wilson@EEOC.gov](mailto:Joseph.Wilson@EEOC.gov)

RECEIVED  
2023 OCT 30 PM 3:21  
CLERK U.S. DIST. COURT  
WEST DIST. OF MO  
KANSAS CITY, MO

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC has adopted the findings of the state or local fair employment practices agency that investigated your charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: David Davis 10/5/2023

David Davis  
District Director

cc: Scott C Long  
Attorney  
Long & Robinson, LLC  
1800 Baltimore Avenue, Suite 500  
Kansas City, MO 64108



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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Issued On: 10/05/2023

To: Franklin Bryant  
2101 N 12th St  
Kansas City, KS 66104

Re: Franklin Bryant v. Operative Plasterers' & Cement Masons' Local Union 518  
EEOC Charge Number: 28E-2022-00650

EEOC Representative and email: Joseph J. Wilson  
State, Local & Tribal Program Manager  
[Joseph.Wilson@EEOC.gov](mailto:Joseph.Wilson@EEOC.gov)

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Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: David Davis 10/5/2023

David Davis  
District Director

cc: Mark A Kistler  
Attorney  
Arnold, Newbold, Sollars & Hollins, PC  
1100 Main Street, Suite 2001  
Kansas City, MO 64105



My Personal Statement: Franklin Bryant

From the onset of my career in the construction industry I've witnessed covert and overt racism, bigotry, and injustice towards African Americans. It is prevalent and deeply ingrained in the industry as a whole; I've personally witnessed it on many of the job site and companies that the Union has placed me in. Learning to cope and circumvent this negative aspect within the construction industry has been a daunting task and mentally exhausting.

During the month of October 2021, after a stint of inclement weather, the job site was put on hold until it would be dry enough to pour concrete again. After receiving a couple texts regarding inconclusive start up dates from my foreman, I replied that I could not work on a particular date due to an upcoming medical appointment. I had recently been in a severe vehicle accident and had x-rays scheduled for that date. The next day the foreman began sending me a thread of belligerent text messages, filled with hate and furious speech. As he persisted, he began making accusation regarding my work time entries on my time card and sent picture of my personal tools and clothing he had confiscated and refused to return. It became so frightening that I contacted my Union Steward and forward him the text message and pictures, also forwarding the same to the owner of the company. As a result, I was offered a position with another company out of state, as resolution of the matter. It infuriates me to know, through experience, that had I'd been a White person, that the situation would have been addressed and dealt with appropriately and promptly. The issue was never addressed in its entirety in my case; noticeable ignored in its harassment and discriminatory context. My rights to privacy and confidentiality were violated from the onset, many of my coworkers and the foreman in question knew of every detail of my complaint and the relocation offer made to me, prior to my knowledge of it. I decided to decline the offer in fear of the possibility of forwarding retaliatory effort; the likelihood of a staged accidental death was my most pressing concern, since many of the construction company's work together in varying degrees.

I'm constantly haunted and affected by these recent experiences of harassment and retaliation from my recent work place, because they were overtly instituted and presented a fearful and degrading threat. As a result, my sleep is now sporadic and limited and I've begun to having nightmares of being haunted and killed by my foreman's and mocked by coworkers, while management looks on with no intention of saving me. It has affected every aspect of my life. I can no longer feel a sense of security among leadership and coworkers. This detachment leaves me with a high degree of stress and anger. I continuously replay the incident in my head and have frequent panic attacks. I've lost the sense of joy I use to get from my job and the accomplishment of finishing a project, now often times feeling depressed and irritated. The livelihood I use to express with my family and my only daughter has diminished, because of my depressed state of mind; I'm unable to stay focused on the positives of life. I find it increasingly difficult to motivate myself on the simplest chores within my home and find myself drinking alone as a means of coping with the realities of never ending discrimination and harassment of Black society.

< Verl With Kidwell  
+1 816-558-8259



Fwd:Fuck you  
cock sucking  
motherfucker!!!!  
Tried to help you  
and your too much  
of a pussy to even  
answer the phone!

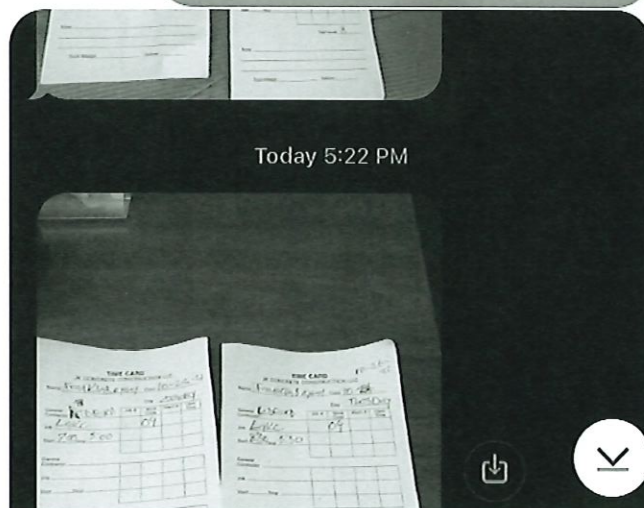


12:38 PM

This is Message  
from Brandon  
yesterday

12:45 PM

<Subject: Fwd:>





< Verl With Kidwell  
+1 816-558-8259



I'm headed in to  
give Gordon a  
picture of all the text  
messages I'll call  
you later

6:09 AM



6:09 AM

Call me when you're  
free hope things turn  
out all right for you

7:14 AM




7:42 AM

How was the work  
day today bro

9:16 PM



 never herd  
anything.

9:57



2:51



Verl With Kidwell

+1 816-558-8259



9:57 PM

Business as usual  
no one truly cares  
good ol boys take  
together same thing  
at Freeman

I don't have a leg  
to stand on these  
guys will get nothing  
more than a slap on  
the wrist

9:58 PM

V

Your probably right

9:59 PM

Tuesday, November 9, 2021



2:53



Verl With Kidwell

+1 816-558-8259



never herd  
anything.

9:57 PM

Business as usual  
no one truly cares  
good ol boys take  
together same thing  
at Freeman

I don't have a leg  
to stand on these  
guys will get nothing  
more than a slap on  
the wrist

9:58 PM



Your probably right

9:59 PM

Tuesday, November 9, 2021







Verl With Kidwell

+1 816-558-8259



12:44 PM

I found my jacket

Wednesday, November 10, 2021

V

He done that shit  
because I hired you

4:21 PM

4:23 PM

It's all good

V

I'm sorry Frank I  
didn't know the  
dude was a f\*\*\*\*\*  
hater cry baby ass  
dude

4:23 PM

4:24 PM

The owner never  
wanted to call me  
and ask me what  
happened he just  
took Brad's side

V

He chewed his ass





2:53



< Verl With Kidwell  
+1 816-558-8259



happened he just  
took Brad's side

4:24 PM

V

He chewed his ass  
yesterday

4:24 PM

What does that do  
for me nothing

Did you show him  
the text messages  
probably not if I had  
his number I will  
show him the text  
messages

4:25 PM

V

He no I think

4:26 PM

How would he know

4:26 PM

V

I think he got a call

4:27 PM



< Verl With Kidwell  
+1 816-558-8259



I think I'm going to  
send him a picture  
of my jacket that he  
threw out

4:27 PM

V



Ian2  
+1 913-313-7736

Go there MMS  
4:28 PM

V

Superiors a good  
place to work man

4:29 PM

4:29 PM

I'm okay

V



4:30 PM

A slap on the wrist  
for harassment  
and discrimination  
doesn't mean s\*\*\*





2:50



< Verl With Kidwell  
+1 816-558-8259



Thursday, November 4, 2021

I'll try to meet  
you and get that  
hammer sometime

7:05 PM

V I will put it on my  
truck

7:3

Nothing personal  
against you

7:41 PM

V I no. We are Kool.  
I'm sorry it didn't  
work out.

7:42 PM

Saturday, November 6, 2021

I'm not your  
foreman. You  
fucking quit on us  
without even telling  
me. Remember???



2:24



< Boss Kidwel Bradon  
+1 816-200-8177






PLEASE PUT JOB # OR JOB NAME ON YOUR TIME CARD WHEN  
MMS 8:14 AM

B More machine curb  
if it doesn't rain.  
<https://goo.gl/maps/T5VqMQi4qWY3hbRV7>

7:00 start

6:34 PM

Wednesday, October 27, 2021

B Nothing today.    



4:05 AM

B Too wet. Nothing  
tomorrow.

5:45 PM

Thursday, October 28, 2021

B Way too wet. Buzz  
you Sunday.

6:13 





2:24



Boss Kidwel Bradon  
+1 816-200-8177



6:14 PM



Sunday, October 31, 2021

B

Letting ground dry  
out tomorrow. Proof  
roll in the afternoon.  
I'll let you know  
ASAP.

2:52 PM

Monday, November 1, 2021

6:34 AM

I won't be able to  
work tomorrow  
several x-rays in the  
morning at KU

B

We need everyone  
tomorrow if job  
passes proof roll. I'll  
let you know ASAP.

8:14 AM





Boss Kidwel Bradon  
+1 816-200-8177



B

We need everyone tomorrow if job passes proof roll. I'll let you know ASAP.

8:14 AM

B

Job passed. We're machine pouring tomorrow morning. Reschedule your appointment if possible please.

9:42 AM

B

<https://goo.gl/maps/NKTrdsFJcsjuucRd>  
A

7:00 start

9:55 AM

B

Let me know what's going on.

11:51 





< Boss Kidwel Bradon  
+1 816-200-8177



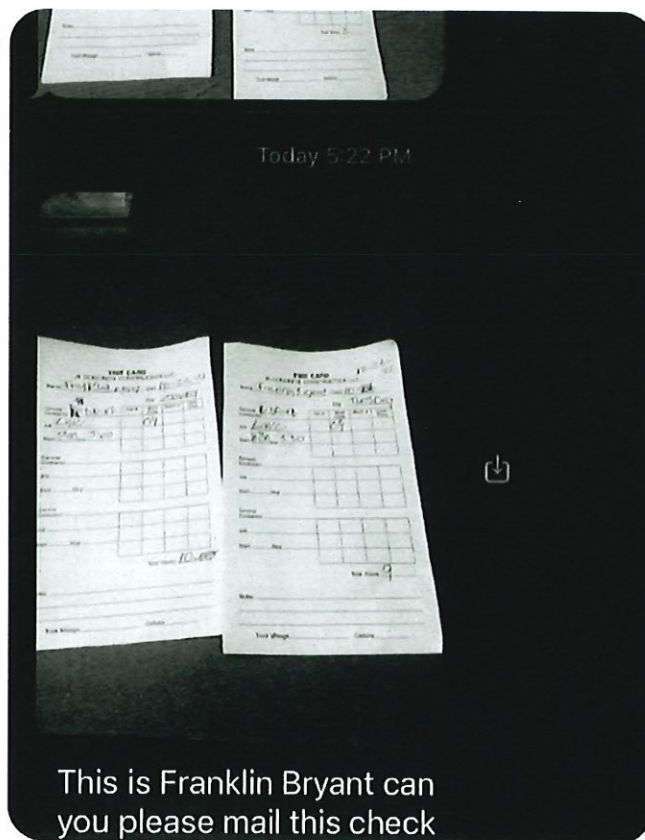
B

Fuck you  
cock sucking  
motherfucker!!!!  
Tried to help you  
and your too much  
of a pussy to even  
answer the phone!



5:26 PM

B



2:38



Boss Kidwel Bradon

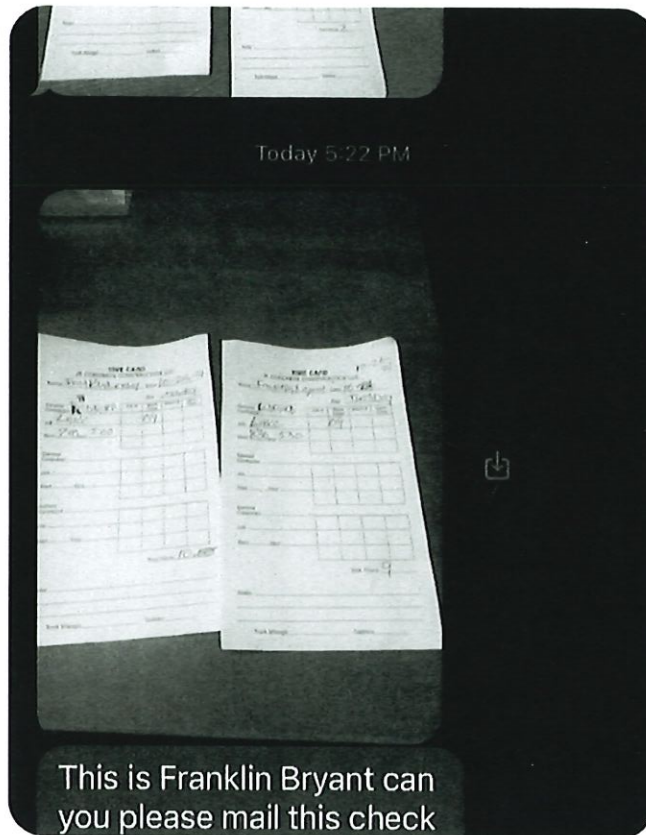
+1 816-200-8177



of a pussy to even  
answer the phone!



5:26 PM



Lying motherfucker  
too! Don't worry, I  
fixed your time for  
you.

MMS

6:27 PM

Wednesday, November 3, 2021



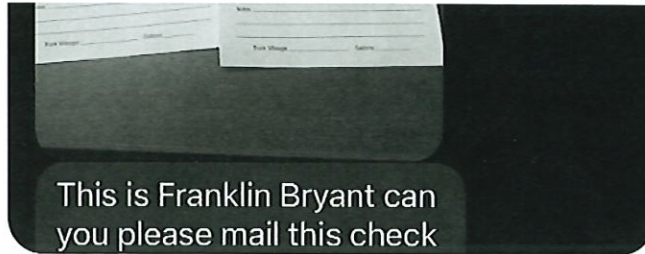


2:50



Verl With Kidwell

+1 816-558-8259



Lying motherfucker too! Don't worry, I fixed your time for you.

MMS  
12:48 PM



Sounds upset

1:03 PM



MMS 1:04 PM



Thursday, November 4, 2021



2:25



< Boss Kidwel Bradon  
+1 816-200-8177



I dig your hammer.  
Thanks.

MMS  
3:15 PM

This is my foreman  
he sent me this  
picture today with  
text message

9:08 PM

B I'm not your  
foreman. You  
fucking quit on us  
without even telling  
me. Remember???

Wrong person  
dumbass!

9:13 PM

B Blocking you now.  
Please do not  
attempt to contact  
me again.

9:14 PM



2:24



< Boss Kidwel Bradon  
+1 816-200-8177



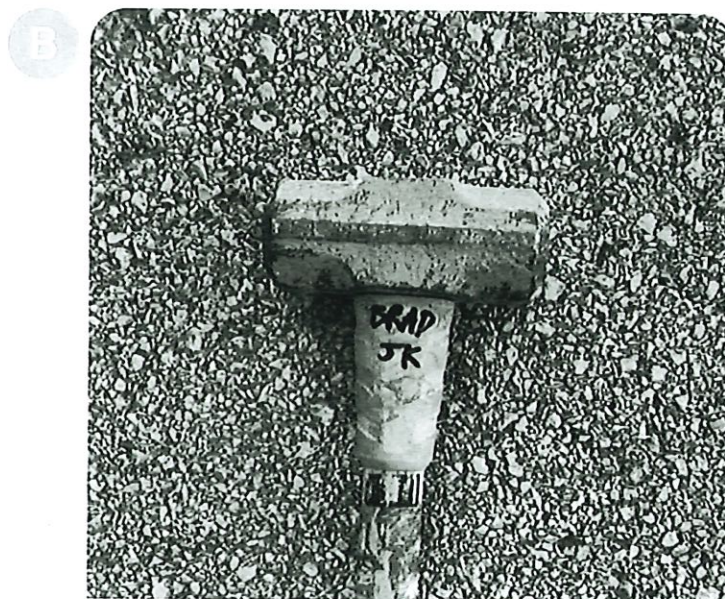
Wednesday, November 3, 2021

I'm forwarding  
you the message  
Brandon sent me  
yesterday

12:38 PM

B Fuck off!!! 🖐 1:31 PM

Saturday, November 6, 2021





2:49

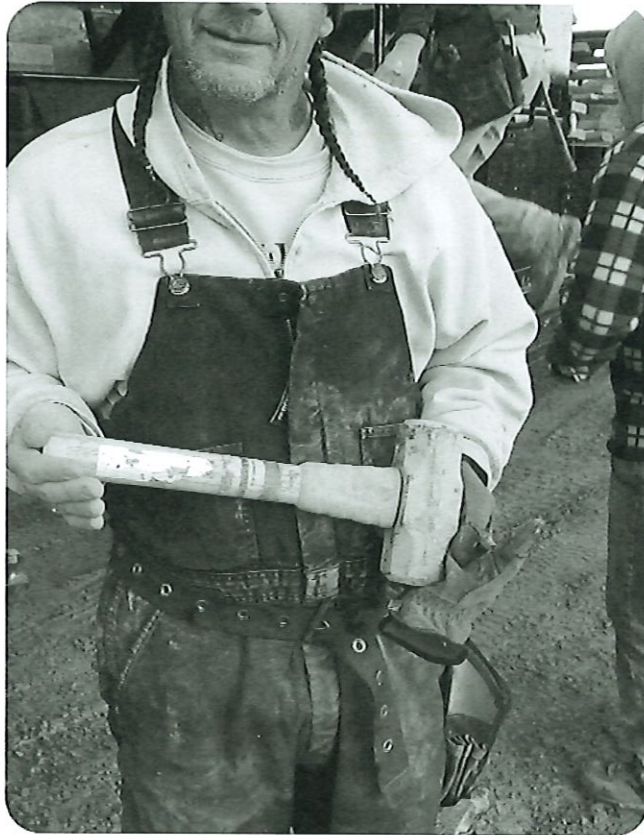


Verl With Kidwell

+1 816-558-8259



Wednesday, November 3, 2021



MMS 8:17 AM

Fwd:Fuck you  
cock sucking  
motherfucker!!!!!!  
Tried to help you  
and your too much  
of a pussy to even  
answer the phone!



2:24



< Boss Kidwel Bradon  
+1 816-200-8177



Tuesday, October 26, 2021

B Send Julie your time  
as soon as you get  
here please

7:13 AM

7:14 AM

Ok

B Julie Houston  
(816) 726-8048

MMS  
8:13 AM

B

Job ID	Job Name	Location	Time
451	Lake Viewtopia	Randy Spalding	
505	Hook Farms 4th Plat Hunt Midwest	Lee's Summit, MO	
506	Journey Church	Randy Spalding	
507	Edgewater 2nd Plat	Blue Springs, MO	
508	Woodland Trails 8th Plat	Greenwood, MO	
509	Edgewater 2nd Plat	Blue Springs, MO	
510	Waterford 5th Plat	Kansas City, MO	
511	Southpointe 8th Plat	Overland Park, KS	
512	Cadence 2nd Plat	Hunt Midwest	
513	Hook Farms 2nd Plat	Hunt Midwest	
514	Pembroke Estates 7th Plat	Randy Spalding	

MMS 8:14 AM



# LEGAL AID of WESTERN MISSOURI

## Our Offices (Kansas City)

- Central Office - KC
- 4001 Blue Parkway, Suite 300  
Kansas City, MO 64130  
Phone: 816-474-6750  
Fax: 816-474-9751
- Westside Office - KC
- 920 Southwest Blvd.  
Kansas City, MO 64108  
Phone: 816-474-9868  
Fax: 816-474-7575
- Every day, Missourians are denied the basic rights to which they are entitled under the law simply because they can't afford an attorney. We're on a mission to change that!
- **Legal Aid of Western Missouri provides free civil (non-criminal) legal assistance to people who need it most and can afford it least.**
- The availability of free civil legal aid can make all the difference to our neighbors who are fighting to stay in their homes, escape domestic violence, secure veterans' benefits or address many other legal challenges that go to the heart of their security and well-being.
- We serve 40 counties in Missouri where approximately 295,000 people live in poverty — most of whom you will never meet or even know. But they are a lot like you. They have families, hopes and dreams. They are your neighbors. They live in the communities you call home.

## Types of Cases We Often Handle

- Consumer Law
- Domestic Violence Protection
- Economic Development
- Guardianships
- Healthcare Access
- Housing Law
- Immigration Law
- Low Income Taxpayer Clinic
- Mental Healthcare Access
- Migrant Farmworkers Project
- Municipal Court Defense
- Public Benefits
- Veterans Issues



- **Our Offices**

- Central Office
- 4001 Blue Parkway, Suite 300  
Kansas City, MO 64130
- Westside Office
- 920 Southwest Blvd.  
Kansas City, MO 64108
- Joplin
- 302 S. Joplin  
Joplin, MO 64801
- St. Joseph
- 706 Felix Street  
St. Joseph, MO 64501
- Warrensburg
- 305 N. Holden  
Warrensburg, MO 64093